

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

CINCINNATI SPECIALTY )  
UDNERWRITERS INSURANCE CO., )  
 )  
Plaintiff, )  
 )  
 )  
v. )  
 )  
UNITED CONSTRUCTION ENT. CO. )  
OF ST. LOUIS, INC., et al., )  
 )  
 )  
Defendants. )

## **MEMORANDUM AND ORDER**

This matter is before me *sua sponte* upon review of the file.

Plaintiff filed this action on November 5, 2018, against defendants United Construction Ent. Co. of St. Louis, Inc., and Crystal Heating & Cooling Services, Inc. Summons issued and service was effected upon both defendants, and defendants' responsive pleadings were due November 30. None was filed. In the meanwhile, however, plaintiff filed its First Amended Complaint on November 8. Nothing before the Court shows that summons issued on or whether defendants were served with the amended complaint. I will therefore order plaintiff to serve the amended complaint on the defendants; but because the time to respond to the original complaint has already expired, each defendant will have only fourteen days from service within which to answer or otherwise respond to the amended

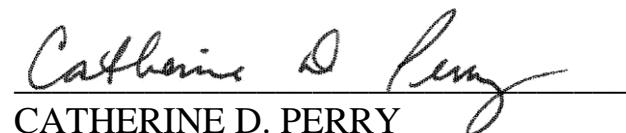
complaint.<sup>1</sup> Fed. R. Civ. P. 15(a)(3).

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff shall cause service of its First Amended Complaint to be effected upon defendants United Construction Ent. Co. of St. Louis, Inc., and Crystal Heating & Cooling Services, Inc.

**IT IS FURTHER ORDERED** that any responsive pleading to plaintiff's First Amended Complaint must be filed within fourteen (14) days of service.

**IT IS FURTHER ORDERED** that plaintiff shall serve a copy of this Memorandum and Order upon each defendant with its First Amended Complaint.



Catherine D. Perry  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 12th day of December, 2018.

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<sup>1</sup> Summons issued on the amended complaint must state this time period within which the defendant must appear and defend. Fed. R. Civ. P. 4(a)(1)(D).